

OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

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OPINION 529

Rejection for nomenclatorial purposes of the work by Walch (J.E.I.) published at Nürnberg in the period 1768—1774 under the title *Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorr'schen Sammlung von Merkwürdigkeiten der Natur*

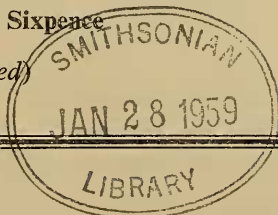
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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 529

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Secretary : Mr. Francis HEMMING (*London, England*) (27th July 1948)

B. The Members of the Commission

(Arranged in order of precedence by reference to date of election or of most recent re-election,
as prescribed by the International Congress of Zoology)

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(12th August 1953)

Dr. K. H. L. KEY (*Commonwealth Scientific and Industrial Research Organisation,
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Dr. Alden H. MILLER (*Museum of Vertebrate Zoology, University of California, U.S.A.*)
(29th October 1954)

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October 1954)

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(6th November 1954)

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Massachusetts, U.S.A.*) (4th December 1954)

Professor Enrico TORTONESE (*Museo di Storia Naturale "G. Doria", Genova, Italy*)
(16th December 1954)

OPINION 529

REJECTION FOR NOMENCLATORIAL PURPOSES OF THE WORK BY WALCH (J.E.I.) PUBLISHED AT NÜRNBERG IN THE PERIOD 1768—1774 UNDER THE TITLE “DIE NATURGESCHICHTE DER VERSTEINERUNGEN ZUR ERLÄUTER- UNG DER KNORRISCHEN SAMM- LUNG VON MERKWÜRDIG- KEITEN DER NATUR ”

RULING :—(1) It is hereby ruled that in the under-mentioned work the author did not apply the principles of binominal nomenclature as required by Article 25 of the *Règles* and therefore that no name acquired the status of availability by reason of being published in the said work :—

Walch (J.E.I.), 1768—1774, *Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorrischen Sammlung von Merkwürdigkeiten der Natur*, Nürnberg.

(2) The title of the work specified in (1) above is hereby placed in the *Official Index of Rejected and Invalid Works in Zoological Nomenclature* with the Title Number 60.

I. THE STATEMENT OF THE CASE

On 24th May 1956 Dr. L. R. Cox (*British Museum (Natural History)*, London) submitted the following application to the

International Commission for the rejection of the *Naturgeschichte* of J. E. I. Walch, a work published in the period 1768—1774, on the ground that in it Walch did not apply the principles of binominal nomenclature :—

Proposed rejection for nomenclatorial purposes of Walch (J.E.I.), [1768—1774], “Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorr’schen Sammlung von Merkwürdigkeiten der Natur”, Nürnberg

By L. R. COX, M.A., ScD., F.R.S.

(*British Museum (Natural History), London*)

The object of the present application is to ask the International Commission on Zoological Nomenclature to reject for nomenclatorial purposes the work by Walch (J.E.I.) published at Nürnberg in the years 1768—74 under the title “Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorr’schen Sammlung von Merkwürdigkeiten der Natur”.

2. The problem presented by Walch’s “Naturgeschichte” recently came into the light in the course of the preparation of an application which it is hoped to submit shortly to the Commission in regard to the family name to be used for the genus *Harpa* (Z.N.(S.)1119). It was found that in two modern standard works (Thiele (J.), 1929—31, *Handbuch der systematischen Weichtierkunde*, 1 : 343 ; Wenz (W.), 1938—44, *Handbuch der Paläozoologie* (edit. O. H. Schindewolf), Gastropoda : 1309) the genus *Harpa* is cited as of “(Rumph) Walch, 1771”, and it was ascertained that the probable source of this reference was an entry in Herrmannsen (A.N.), 1846—9, *Indicis Generum Malacozoorum*, 1 : 501, where the first post-Linnean reference given for *Harpa* is “Walch 1771. Natgsch. d. Verst. III, p. 113”. Investigation of this reference has shown that, not only is the citation of the date and of the volume of Walch wrong (it should read “1768 . . . II(i)”), but also that the name of the shell was published by Walch only in the German vernacular form “Harfen-Schnecken”.

3. Walch’s names are, in fact, either in the German vernacular or, if in Latin, are polynominal. Thus on page 135 of his “zweyten Theils erster Abschnitt” (1768) we read, “Die zweyte Gattung der Ostraciten haben wir Ostreopinniten genennet . . . Zu diesen schilferigen Ostrea-Pinniten sind diejenigen mit zu rechnen, welche sonst *Ostracitae gibbosi auriformes* . . . genennet werden”. I do

not think anybody in recent years except Thiele and Wenz has thought of attributing a generic name to Walch.

4. These old non-binominal works constitute a permanent threat to stability in nomenclature until they have been formally ruled to be invalid by the International Commission. In accordance with the principle recommended by the Fourteenth International Congress of Zoology, Copenhagen, 1953 (*Copenhagen Decisions zool. nomencl.* : 23—24, Decision 23) I recommend the International Commission on Zoological Nomenclature

- (1) to give a ruling that in the work entitled “*Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorr'schen Sammlung von Merkwürdigkeiten der Natur*”, published at Nürnberg in the period 1768—1774, Walch (J.E.I.) did not apply the principles of binominal nomenclature as required by Article 25 of the *Règles*, and therefore that no name acquired the status of availability by reason of being published in this work ;
- (2) to place the title of the foregoing work on the *Official Index of Rejected and Invalid Works in Zoological Nomenclature*.

II. THE SUBSEQUENT HISTORY OF THE CASE

2. Registration of the present application : Upon the receipt of Dr. Cox's application the question of the rejection of the work by Walch entitled *Die Naturgeschichte der Versteinerungen zur Erläuterung der Knorr'schen Sammlung von Merwürdigkeiten der Natur* was allotted the Registered Number Z.N.(S.)1121.

3. Publication of the present application : The present application was sent to the printer on 31st May 1956 and was published on 24th August of that year in Part 6 of Volume 12 of the *Bulletin of Zoological Nomenclature* (Cox, 1956, *Bull. zool. Nomencl.* **12** : 191—192).

4. No Objection Received : No objection to the action proposed in the present case was received from any source.

III. THE DECISION TAKEN BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

5. Issue of Voting Paper V.P.(57)23 : On 28th February 1957 a Voting Paper (V.P.(57)23) was issued in which the Members of the Commission were invited to vote either for, or against, "the proposal relating to the *Naturgeschichte . . . Knorrischen Sammlung* of Walch, 1768—1774, as set out in Points (1) and (2) in paragraph 4 on page 192 of Volume 12 of the *Bulletin of Zoological Nomenclature*" [i.e. in the paragraph numbered as above in the paper reproduced in the first paragraph of the present *Opinion*].

6. The Prescribed Voting Period : As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 28th May 1957.

7. Particulars of the Voting on Voting Paper V.P.(57)23 : At the close of the Prescribed Voting Period, the state of the voting on Voting Paper V.P.(57)23 was as follows :—

(a) *Affirmative Votes had been given by the following twenty-four (24) Commissioners (arranged in the order in which Votes were received) :*

Lemche ; Holthuis ; Hering ; Mayr ; Bonnet ; Vokes ; Key ; Mertens ; Jaczewski ; Boschma ; Riley ; Prantl ; Bodenheimer ; Dymond ; Esaki ; Kühnelt ; do Amaral ; Bradley (J.C.) ; Cabrera ; Hemming ; Sylvester-Bradley ; Tortonese ; Stoll ; Miller ;

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned, one (1)* :

Hankó.

8. Declaration of Result of Vote : On 29th May 1957, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(57)23, signed a Certificate that the Votes cast were as set out in paragraph 7 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

9. Preparation of the Ruling given in the present "Opinion" : On 24th April 1958 Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(57)23.

10. Compliance with Prescribed Procedures : The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the undersigned Francis Hemming, Secretary to the International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

11. "Opinion" Number : The present *Opinion* shall be known as *Opinion* Five Hundred and Twenty-Nine (529) of the Commission on Zoological Nomenclature.

DONE in London, this Twenty-Fourth day of April, Nineteen Hundred and Fifty-Eight.

*Secretary to the International Commission
on Zoological Nomenclature*

FRANCIS HEMMING